

TITLE 8

FIRE PREVENTION

Chapter 1 INTERNATIONAL FIRE CODE

8-1-1. Adoption of 2000 International Fire Code.

There is hereby adopted the 2000 Edition of the International Fire Code, as published by the International Code Council, Inc., except such portions of the Code as are hereinafter deleted, modified, amended or added. In addition, the following appendices of the 2000 Edition of the International Fire Code are adopted:

Appendix B

Appendix C

8-1-2. Enforcement.

The International Fire Code, 2000 Edition, as herein adopted, and such other portions of this ordinance as adopted herein, shall be enforced by the Fire Department and Police Department of Sandy City.

8-1-3. Amendments to Adopted Code.

The International Fire Code, 2000 Edition, is hereby amended and changed by deleting those sections hereafter described or by substituting for the sections herein set forth such language as may thereafter follow:

(a) Section 912.2 shall be amended to include the following paragraph after the existing paragraph: The Fire Department connection on automatic fire sprinkler and stand-pipe systems shall be located at a maximum of 100 feet from a fire hydrant unless otherwise approved by the Fire Chief.

(b) Section 903.2 shall be amended to include the following additional subsection:

(i) An automatic sprinkler system shall be installed in accordance with NFPA 13 throughout the buildings containing all occupancies where fire flow exceeds 2,000 gallons per minute, based upon Table B105.1 of the 2000 International Fire Code. Exempt locations as

indicated in Section 903.3.1.1.1 are allowed.

Exception: Automatic fire sprinklers are not required in buildings used solely for worship, Group R Division 3, and Group U occupancies.

- (c) Section B104.2 shall be amended to read: Portions of buildings which are separated by two-masonry fire walls without openings constructed in accordance with the International Building Code are allowed to be considered as separate fire areas.

Chapter 2 FIRE REGULATIONS FOR DAY CARE CENTERS, PRESCHOOLS, AND HEALTH CARE OCCUPANCIES

8-2-1. Day Care, Day Care Centers and Preschools.

R-710-8 Day Care Rules as adopted by the Utah State Fire Prevention Board are hereby adopted, along with all relevant references contained in said rule..

8-2-2. Residential Care Occupancies.

R-710-3 Assisted Living Facilities as adopted by the Utah State Fire Prevention Board is hereby adopted, along with all relevant references contained in said rule.

Chapter 3 FIRE HYDRANT INSTALLATION

8-3-1. Fire Hydrants In Residential Subdivisions.

Fire hydrants shall be installed at locations approved by the Sandy City Fire Department in all areas in which subdivisions are located according to the following rules and regulations which shall apply and govern the said installations and placement.

- (a) No dwelling unit in any development shall be located more than 200 feet from a fire hydrant, measured along a curb in front of each said fire hydrant. Guard rails or protective barricading shall be installed where necessary to protect fire hydrants from physical damage, but must not adversely affect or encumber their operation.
- (b) A copy of plot plans with the proposed hydrant location shall be filed with the Sandy City Fire Department for review, revisions, and approval. At least one copy of the approved plan shall be so filed for future reference.

(i) No bond required hereunder shall be released until such time as the Fire Chief and City Engineer shall certify that all hydrants provided herewith are installed as per Sandy Public Utilities specifications, oriented correctly, in good working condition, caps are in place, auxiliary valve and street boxes are installed and operational; further, the bond shall not be released until the Sandy City Fire Chief has accepted the facilities in writing as aforesaid.

8-3-2. Fire Hydrants Outside Residential Subdivisions.

Fire hydrants shall be installed at locations approved by Sandy City Fire Department in all areas in which commercial, industrial buildings, churches, schools, public buildings, multiple dwellings, rest homes, etc., and other such buildings are located. The following rules and regulations shall apply and govern the said installation and placement:

- (a) No building shall be more than 200 feet from a hydrant, the distance from hydrant to be measured along the street to the entrance of the property to the building.
- (b) A copy of plot plans with the proposed hydrant location shall be filed with the Sandy City Fire Department for review, revisions, and approval. At least one copy of the approved plan shall be so filed for future reference.

(i) No bond required hereunder shall be released until such time as the Fire Chief and City Engineer shall certify that all hydrants provided herewith are installed as per Sandy Public Utilities specifications, oriented correctly, in good working condition, caps are in place, auxiliary valve and street boxes are installed and operational; further, the bond shall not be released until the Sandy City Fire Chief has accepted the facilities in writing as aforesaid.

8-3-3. Fire Hydrant Necessary.

It shall be unlawful for any person to begin actual construction of any new building or building addition when said building is located on private property more than 200 feet from an approved and operating fire hydrant. No building permit shall be issued unless an accepted hydrant plan has been approved and filed with the Fire Chief.

8-3-4. Location of Fire Hydrants and Water Mains.

The water mains must be located in permanent easements. Sandy City is charged with perpetual maintenance of the mains and the hydrants. The water mains and fire hydrants shall be installed and approved for operation before any building in the subdivision may be framed or constructed further than foundations and concrete work.

8-3-5. Penalty.

Violation of any of the provisions of this chapter shall be considered a class B misdemeanor and shall be punished accordingly.

Chapter 4 REGULATION OF FIRE LANES

8-4-1. Fire Lanes.

It shall be the duty of the City Fire Chief to designate personally or through the City Fire Marshal, fire lanes where in their judgment the geographical, traffic, population density, and land use or any other relevant factors make such a designation desirable to protect life or property from fire or damage. Such fire lanes shall be established and designed to enable Fire Department personnel and equipment to have unimpaired and unobstructed and ready access to the subject premises for the purpose of fire fighting and control. Said fire lanes may be designated on any premises, public or private, and power of designation shall include, but shall not be limited to, hospitals, schools, churches, theaters, restaurants, and shopping centers or malls.

8-4-2. Establishing a Fire Lane.

In order to establish a fire lane, the Fire Department through its Chief or Fire Marshal, shall give a written notice and order to the person, firm, or corporation in possession or control of the subject premises, setting forth:

- (a) The designation of a fire lane.
- (b) A general description of its location.
- (c) What signs, markings or warnings shall be required to physically establish the said fire lane or give notice to others of its existence and location.
- (d) The time within which said person, firm or corporation shall be required to comply with the written notice and order.

All signs, markings and warning devices as required shall be installed and supplied at the sole cost of the owner or lessee of the subject premises within a reasonable time as designated and stated by the Fire Department in its written notice and order. It shall be unlawful to fail to comply with such written notice and order and any violation of this section shall be deemed an infraction. Each day that the person, firm or corporation fails to comply with the notice and order after the date of compliance shall have passed, the said person, firm or corporation shall be deemed to have committed a separate offense and violation.

8-4-3. Fire Lanes Shall Be Unobstructed.

A fire lane established and created pursuant to these revised ordinances shall be kept open and unobstructed at all times. It shall be unlawful for any person to stop, park, stand or in any way cause a designated and properly marked fire lane to be blocked or obstructed by any vehicle or any obstruction. Any person failing to comply with the provisions of this section shall be deemed guilty of a class B misdemeanor. Any vehicle left unattended in the said fire lane shall be towed away from the said fire lane and impounded and the owner thereof shall be

responsible to pay all of the costs and charges related to such impoundment.

Chapter 5 REGULATION OF FIREWORKS

8-5-1. Authority and Purpose.

This chapter is adopted pursuant to the provisions of Sections 11-3-8 and 11-3-9 of the Utah Code (1953 as amended) and the rules adopted thereunder.

8-5-2. Definitions.

As used in this chapter:

- (a) "Firework" means any composition or device manufactured or used for the purpose of producing a visible or audible effect by combustion, deflagration, or detonation but does not include model rockets, toy pistol caps, emergency signal flares, snakes or glow worms, party poppers, wire sparklers under 36 inches in length, matches, or class A and B explosives.
- (b) "Ground or hand-held sparkling" device means:
 - (1) Any cylindrical tube (cylindrical fountain) not exceeding 3/4" in inside diameter and containing not more than 75 grams of pyrotechnic composition which produces a shower of color and sparks upon ignition and may whistle or pop;
 - (2) Any cardboard or heavy paper cone (cone fountain) containing up to 50 grams of pyrotechnic composition which produces a shower of color and sparks upon ignition and may whistle or pop;
 - (3) Any cylindrical tube (illuminating torch) containing up to 100 grams of pyrotechnic composition which produces colored fire upon ignition;
 - (4) Any pyrotechnic device (wheel) capable of being attached to a post or tree containing up to six "driver" units or tubes not exceeding 1/2" in inside diameter that each contain not more than 60 grams of pyrotechnic composition per driver unit which revolves upon ignition producing a shower of color and sparks and sometimes a whistling effect.
 - (5) Any device similar in design and effect to a "wheel" capable of being placed on the ground (ground spinner) and ignited; and
 - (6) Any narrow paper fuseless tube (flitter sparkler) filled with pyrotechnic composition that produces color and sparks when the popper at one end of the tube is ignited.
- (c) "Ground audible device" means any paper or cardboard tube containing not more than 50 milligrams of pyrotechnic material that travels along the ground (chaser)

upon ignition and often produces a whistling and/or popping effect.

- (d) "Combination fireworks device" means any device containing combinations of two or more of the effects described in subsections (b) or (c).
- (e) "Trick noisemaker" means:
 - (1) Any tube or sphere containing pyrotechnic composition that upon ignition produces white or colored smoke (smoke device) as its primary effect; and
 - (2) Any device that produces a small report intended to surprise the user, including:
 - (A) A "booby trap" which is a small tube with a string protruding from both ends that ignites the friction sensitive composition in the tube when the string is pulled;
 - (B) A "snapper" which is a small paper-wrapped device containing a minute quantity of explosive composition coated on bits of sand which explodes producing a small report;
 - (C) A "trick match" which is a kitchen or book match coated with a small quantity of explosive or pyrotechnic composition that produces a small shower of sparks when ignited;
 - (D) A "cigarette load" which is a small wooden peg coated with a small quantity of explosive composition that produces a small report when the cigarette is ignited; and
 - (E) An "auto burglar alarm" which is a tube which contains pyrotechnic composition that produces a loud whistle and smoke when ignited. A small quantity of explosive, not exceeding 50 milligrams, may also be used to produce a small report. A squib is used to ignite the device.
- (f) "Indoor sales" means sales conducted inside permanent structures.
- (g) "Permanent structure" means a non-movable building, securely attached to a foundation, housing a business licensed to sell merchandise in addition to fireworks.
- (h) "Person" means an individual, company, partnership or corporation.
- (i) "Temporary stand" means a non-permanent structure used exclusively for the sale of fireworks.

8-5-3. Sale and Discharge of Fireworks.

- (a) It is unlawful for any person to sell or offer for retail sale, or to discharge any fireworks in Sandy City other than those defined in subsections 8-6-2(2) through

- (5), except as otherwise permitted under Chapter 6 of this title.
- (b) It is unlawful for any person to discharge fireworks in any area that has not been cleared of dry grass or other combustible material for a distance of 25 feet in all directions.
 - (c) It is unlawful for any person to discharge fireworks 25 feet from L.P.G. flammable liquid or gas storage and dispensing units.

Amended Ord. 94-42, 7/14/94, Published 7/21/94.

8-5-4. Enforcement.

- (a) Every officer charged with the enforcement of state and municipal laws including all fire enforcement officials and the division of public safety is hereby charged with responsibility to enforce this ordinance.
- (b) Fireworks sold or offered for sale in violation of this chapter may be seized and destroyed and the license of the person selling or offering fireworks for sale may be revoked.

8-5-5. Time Period of Sales.

Fireworks may be sold on or between June 20 and July 25; on or between December 20 and January 2; and 15 days before and on the Chinese New Year.

8-5-6. Time Period For Discharge.

Fireworks may be discharged three days prior to, on the day of, and three days following July 4, July 24, January 1, and the Chinese New Year.

8-5-7. License Required.

- (a) No person shall engage in any type of retail, fireworks sales, storage or handling without first having submitted an application for and obtained a license to sell fireworks from Sandy City.
- (b) The license for fireworks, issued by Sandy City, shall be available at the store or stand for presentation upon request to duly authorized public safety officials.
- (c) Applications for a license shall be submitted to the Business License Officer and approval shall be governed by applicable provisions in this chapter, in Title 5, Chapter 1 on business licensing and elsewhere in the Sandy City Ordinances.

8-5-8. License Application.

All applications for a license to sell fireworks shall:

- (a) Be made in writing accompanied by a fee of \$350.00 per stand, trailer or building. This fee shall apply to all business operations engaged in the retail sale, storage or

handling of fireworks;

- (b) Set forth the proposed location for such operation, including, if the license application is for a temporary stand or trailer, a map indicating the position of such stand or trailer in relation to property lines and other structures in the immediate vicinity. (This requirement may be satisfied by materials submitted under Temporary Use Permit requirements);
- (c) Include original insurance certificate(s) evidencing Commercial General Liability including Product Liability and Premises Liability coverages in favor of the applicant in the amount of \$300,000 per person and \$500,000 per occurrence for bodily injury and \$500,000 property damage per occurrence, with a minimum aggregate limit of \$1,000,000 for multiple occurrences. Products Liability and Premises Liability coverages may be evidenced separately by an original certificate of insurance. Each certificate shall designate the City as an additional insured and be in a form, and with insurance companies, acceptable to the City.
- (d) Include a statement that the applicant agrees to comply strictly with the terms of any license granted and to furnish any additional information upon request;
- (e) Include a copy of the Utah Sales Tax License;
- (f) Include a cash deposit, certificate of deposit, or surety bond as here required;
- (g) Include written permission of the owner of the property on which the fireworks will be sold, if such owner is different from the licensee.

8-5-9. Notice of Approval or Denial of License.

Applicants for a license shall be notified by the City of approval or denial of a license application no later than ten (10) days after the application is originally made.

8-5-10. General Requirements.

- (a) All fireworks retail sales locations shall be under the direct supervision of a responsible person who is 21 years of age or older. Fireworks shall not be sold by any person under the age of 16 years. (83-62) A sales person shall remain at the sales location at all times unless suitable locking devices are provided to prevent the unauthorized access to the merchandise by others, or the merchandise is removed.
- (b) Fireworks shall not be sold to any person under the age of 16 years, unless accompanied by an adult.
- (c) All retail sales locations shall be kept clear of dry grass or other combustible material for a distance of at least 25 feet in all directions.
- (d) Storage of fireworks for sale shall not be located in residential areas.

- (e) Smoking shall not be permitted within 50 feet of any fireworks, either on display for retail sale or being stored. "Smoking prohibited within 50 feet" (or similar wording) signs shall be conspicuously posted at all sales and storage locations.
- (f) A sign, clearly visible to the general public, shall be posted at all fireworks sales locations, indicating the legal dates for discharge of fireworks.
- (g) All retail sales locations shall be equipped with an approved, portable fire extinguisher having a combined rating of at least 2A:10BC, or as required by the Sandy City Fire Department.
- (h) No amount of retail storage or retail sales of Class "C" fireworks shall, by its presence, create a distinct hazard to the life safety of the customer, employee or property.

8-5-11. Indoor Sales.

- (a) Display of fireworks for retail sale inside buildings:
 - (1) Up to 250 pounds of fireworks gross weight, display of fireworks is unrestricted;
 - (2) From 251 pounds to 500 pounds of fireworks gross weight, display of fireworks must be within constant visual supervision;
 - (3) Above 500 pounds of fireworks gross weight, display of fireworks must be constantly attended by a sales person.
- (b) In all retail sales locations in permanent structures, the area where fireworks are displayed or stored shall be at least 50 feet from any flammable liquid or gas, or other highly combustible material. Fireworks shall not be stored (including stock for sale) near exit doorways, stairways, or in locations that would impede egress.
- (c) Fireworks shall be stored, handled, displayed, and sold only as packaged units inside buildings.
- (d) Permanent structures shall comply with all applicable ordinances.

8-5-12. Temporary Stands and Trailers.

- (a) Each stand or trailer shall have a minimum of two, approved exit doors, which swing out at opposite ends of the stand. Door locking devices, if any, shall be easily released from the inside without special knowledge, key, or effort.
- (b) Each stand or trailer shall have a minimum 3' wide unobstructed aisle, running the length of the stand or trailer, inside and behind the counter.
- (c) The pass-through openings for sales of fireworks in stands or trailers shall be arranged to permit the customer to view the merchandise for sale but prevent the

touching or handling of non pre-packaged fireworks by the customer.

- (d) Temporary stands or trailers for the sale of fireworks shall be located in properly zoned areas, at least 100 feet from other fireworks stands or trailers, and 25 feet from LPG, flammable liquid or gas storage and dispensing units.
- (e) If the stand or trailer is used for the overnight storage of fireworks, it shall be equipped with suitable locking devices to prevent unauthorized entry.
- (f) Stands or trailers shall not be illuminated or heated by any device requiring an open flame or exposed heating elements. All heaters and lighting devices shall be approved by the Sandy City Building and Safety Division and the Sandy City Fire Department.
- (g) The general public shall not be allowed to enter a temporary stand or trailer.
- (h) Stands and trailers need not comply with the provisions of the Building Code. However, they shall be erected in a manner that will reasonably assure the safety of attendants and patrons and must be approved by the Sandy City Building and Safety Division and the Sandy City Fire Department.
- (i) A sign prohibiting the discharge of any fireworks within 100 feet of a stand or trailer shall be prominently displayed.
- (j) No person(s) shall sleep in a stand or trailer.
- (k) Stands and trailers shall be removed no later than August 1 and January 8 and seven days after the Chinese New Year of each year.
- (l) Each person seeking to operate a stand or trailer shall submit to the Sandy City Business License Division a cash deposit, certificate of deposit or surety bond made payable to the City in the amount of \$1000.00 to assure compliance with the provisions of this section, including, but not limited to, the removal of the stand and the cleaning of the site. In the event the licensee does not comply or remove the stand or clean the site, the City may do so, or cause the same to be done by other persons, and the reasonable cost shall be a charge against the licensee and his deposit or surety bond.

8-5-13. Application.

This chapter does not apply to the product inventories of fireworks manufacturers, importers, distributors or wholesalers designated for shipment directly out of the state.

8-5-14. Penalties.

- (a) Any person who sells retail fireworks other than those listed in 8-6-3, is guilty of a class "B" misdemeanor.
- (b) Any person violating this chapter is guilty of a class "B" misdemeanor.

Chapter 6 REGULATION OF FIREWORK DISPLAYS

8-6-1. Authority.

This chapter is adopted pursuant to the authority granted municipalities in Section 11-3-10 of the Utah Code to regulate the discharge of Class B fireworks and pyrotechnic displays.

8-6-2. Permit Required.

The display of Class B fireworks or fireworks otherwise prohibited by Chapter 5 of this title is permitted if done pursuant to a permit issued by the Sandy City Council and approved by the Sandy City Fire Chief.

8-6-3. Application for Firework Displays.

- (a) Applications for permits for the display of fireworks under 8-6-2 shall be made in writing at least 20 days in advance of the date of the display. If such permit is granted, the sale, possession, use and distribution of fireworks for such display shall be lawful for that purpose only. No permit granted hereunder shall be transferable.
- (b) The permittee for the display shall post a bond with the City or furnish proof, acceptable to the City, of commercial general liability insurance in an amount no less than \$2,000,000 per occurrence, combined bodily injury and property damage coverage.
 - (1) All bonds shall meet at least one of the following requirements:
 - (A) The bond shall be posted by the permittee in cash or its equivalent; or
 - (B) The bond shall be posted by an institution regulated by the Utah Department of Financial Institutions, or by a financial institution regulated by the Federal Deposit Insurance Corporation and acceptable to the City, or by a surety holding a certificate or authority as acceptable surety on federal bonds by the United States Department of the Treasury. In each case, the institution or surety shall be acceptable to the City and licensed to do business within the State of Utah.
 - (2) Sandy City shall be named insured on any insurance policy provided under this section, and the policy must be from an insurance company with a Best's Key Guide rating of "B+" or better.
- (c) All displays of fireworks permitted under this chapter shall be operated in accordance with the standards established for the public display of fireworks by the National Fire Prevention Association.

- (d) The Fire Chief or his authorized representative may at any time prior to or during a display of fireworks revoke a permit to display fireworks or terminate a display in progress because of winds, dryness, or other factors creating a risk of fire or injury.

Chapter 7 NEW MATERIAL, PROCESSES, OR OCCUPANCIES

8-7-1. New Materials, Processes or Occupancies Which May Require Permits.

The Chief Building Official and the Fire Chief or his authorized representative shall determine and specify, in conformance with such ordinances and regulations as may hereafter be adopted by the departments of Sandy City, any new materials, processes or occupancies which may require permits, in addition to those now enumerated in the Uniform Fire Code. The Chief shall post such list, once adopted, in a conspicuous place in the city, distribute copies thereof to interested persons and publish such adopted list in conformance with ordinances hereinafter adopted by Sandy City.

Chapter 8 APPEALS, PENALTIES AND CONFLICTS

8-8-1. Appeals.

Whenever the Chief shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of the Code do not apply or that the true intent and meaning of the Code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the Chief to the Sandy City Board of Appeals within 30 days from the date of the decision appealed.

8-8-2. Penalties.

- (a) Any person who shall violate any of the provisions of this Code hereby adopted or fail to comply therewith, or who shall violate or fail to comply with any order made thereunder, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder, and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the Board of Appeals or by a court of competent jurisdiction, within the time fixed herein, shall severally for each and every such violation and noncompliance respectively, be guilty of a class B misdemeanor. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each ten days that prohibited conditions are maintained shall constitute a separate offense.
- (b) The application of the above penalties shall not be held to prevent the enforced removal of prohibited conditions or shall not prevent the enforcement by Sandy City of any other remedy, civil or criminal, available for the protection of the health, welfare and safety of its citizens.

8-8-3. Conflicts.

In the event that there are conflicts between requirements within this title, including the Uniform Fire Code and Life Safety Code, the more restrictive requirements shall govern, except that when conflicts arise between the provisions of the Uniform Fire Code or Life Safety Code as herein adopted and provisions established in this title independent from the Uniform Fire Code or Life Safety Code, the independent provisions of this title shall govern.